CLOTHING DONATION BINS

INSTRUCTIONS FOR COMPLETING FORMS:

Form # CB- 1: New or Renewal Application Form

1. Complete all information requested on form.
2. One application for each individual bin is required.
3. Submit $100.00 for new application ($25.00 for renewal) for each individual bin.
4. Must also complete form #CB-2, for each individual bin.

Form # CB- 2: Permit Form

1. The bin permit number will be added at the time the permit is approved.
2. Please provide the information requested in the fields provided. Leave no blanks.
3. Include the completed form with the application and appropriate fee.
4. If approved, this permit will be returned to the applicant.
5. Attach approved permit with the weatherproof envelope provided on the front of each bin.
6. Clothing bins in violation of Chapter 168 are subject to forfeiture of the bin and a fine up to $ 5,000 for each violation.
7. The owner consent form provided on our website www.bridgewaternj.gov may be used or a letter containing the same information may be substituted. (form # CB-3)

Form # CB- 3: Owner Consent (NOT TENANT)

1. To be completed by Property Owner, not tenant.
2. Complete all information requested.
3. Must be signed and dated by Property Owner, not tenant.

Form # CB-4: Site Plan Waiver (required for ALL new applications unless location previously approved via Site Plan by the Board)

1. Complete only upper portion of form.
2. Prepare three (3) applications and include three (3) survey copies to scale, approved Site Plan, Memorializing Resolution of Board approval, and any photos of location.
3. Make checks payable to Township of Bridgewater
4. Submit two (2) separate checks in the amount of $25.00 for waiver application fee and Submit a separate check payment in the amount of $500 for escrow review fee

Bridgewater Township
Zoning Officer
100 Commons Way
Bridgewater, NJ 08807
908-725-6300 Ext. 5541

APPLICATION FOR PLACEMENT OF CHARTIBLE CLOTHING BIN

APPLICANT NAME _____

ADDRESS _____ STATE _____ ZIP _____

TELEPHONE EMG. # EMAIL

MAXIMUM 3 BINS PER LOT, each a maximum size - 8FT WIDE 6FT LENGTH 6FT HEIGHT

PROVIDE NAME & PHONE NUMBER OF ANY PERSON
OR ENTITY SHARING PROFITS OR OTHER DONATIONS _____

> MUST ATTACH LETTER GIVING CONSENT FROM PROPERTY OWNER (Not Tenant)
TO LOCATE BIN AND ACKNOWLEDGE OWNER WILL COMPLY WITH ORDINANCE 168

> BIN LOCATION OF BIN / BLOCK _____ LOT: _____
STREET ADDRESS

> PROPERTY SURVEY OR GOOGLE MAP SHOWING LOCATION OF CLOTHING BIN REQUIRED
WITH DISTANCE TO THE PROPERTY LINE

(OFFICIAL USE ONLY)

_____ APPLICATION COMPLETE INCOMPLETE _____
_____ CHECK INCLUDED
WAIVER NEEDED YES _____ NO _____

ZONING OFFICER APPROVED _____ DENIED _____
PLANNING BOARD _____ _____
ENGINEERING _____ _____

$100.00 APPLICATION FEE IS NON REFUNDABLE / RENEWAL FEE $25.00 NON REFUNDABLE
APPLICATION NUMBER OR RENEWAL # IS CHANGED EACH YEAR

COPY OF CHAPTER 168 OF BRIDGEWATER TOWNSHIP MUNICIPAL CODE PROVIDED

Form CB-1

TOWNSHIP OF BRIDGEWATER

OWNER'S CONSENT FOR PLACEMENT OF CHARITABLE CLOTHING BINS

Must be completed and signed by **owner** of each location as recorded on Bridgewater Township Tax Records
TENANT SIGNATURE IS NOT ACCEPTABLE

APPLICANTS INFORMATION:

Applicants Name: _____

Applicant's Address: _____ Mailing Address: _____

Telephone Number _____ Email: _____

I, owner of record of the property located at _____

Block _____Lot_____ in the Township of Bridgewater, County of Somerset, NJ hereby grant approval for the above named bin holder to place _____bin(s) on my property as shown on the Tax Records of Bridgewater Township.

The above named Applicant has advised that he/she is aware that compliance to all conditions of Bridgewater Township Ordinance No. -168 is mandatory and is aware the permit must be renewed in May of each year and the permit is to be clearly displayed on each bin.

I do ____ do not _____ require the Applicant to provide a Certificate of Insurance naming me (or my corporation) the added Insured.
Owner initials _____.

I do ____do not ____require the Applicant to submit a Hold Harmless Agreement in my (or my corporation's) favor. Owner's Initials _____.

PLEASE NOTE: IF INSURANCE OR A HOLD HARMLESS AGREEMENT IS REOUIRED APPLICANT MUST ATTACH A COPY TO THIS APPLICATION. A HOLD HARMLESS AGREEMENT AND CERT1FICATE OF INSURANCE IS MANDATORY FOR ALL PUBLIC PROPERTY.

_____ _____
Signature of owner or representative if Corporation Date

_____ _____
Name of Corporation if applicable Title

_____
Street Address, City, State, Zip

_____ _____ _____
Telephone Number Fax Number Email address

_____
If not a corporation, Phone Number during business hours

BRIDGEWATER TOWNSHIP
CLOTHING DONATION BINS
Chapter 168

Bin Owner _____ Bin Permit # _____

Mailing address _____ Date of Issue _____

Phone Number _____

Description of Disposition
Of Clothing Donation:

Describe in detail how donation in this bin will be used, sold or dispensed and the method by which the proceeds will be allocated. Attach more sheets if necessary.

Person(s) or entities sharing or profiting from donation in this bin.

Name _____

Address _____

Phone _____

Name _____

Address _____

Phone _____

Name _____

Address _____

Phone _____

Bin Location _____

_____

Total Bins at this location_____

This permit Expires Annually May 31

Bin conforms to Chapter 168 of Bridgewater Township Ordinance. Violations are subject to a maximum fine of $5,000.00.

THIS PERMIT MUST BE ATTACHED TO FRONT OF BIN.

FORM CB-3

BRIDGEWATER TOWNSHIP

REQUEST FOR SITE PLAN WAIVER

TO LOCATE A

CLOTHING DONATION BIN

Application # _____

PROJECT NAME: _____

PROJECT ADDRESS: _____

BLOCK(S): _____ LOT(S): _____ ZONE: _____

PROPERTY OWNER: _____

PROPERTY OWNER ADDRESS: _____

APPLICANT NAME: _____

APPLICANT ADDRESS: _____

APPLICANT PHONE NUMBER: _____ FAX: _____ EMAIL: _____

(OFFICIAL USE ONLY)

ADVICE OF ZONING OFFICER _____

_____

MINIMUM REQUIREMENTS

- Applicant must submit copy of approved site plan and memorializing resolution of Board approval
- Involves clothing bin placement of no more then three (3) units.
- Does not violate circulation, drainage, buffer, lighting, or other considerations of the approved Site Plan.

Approval of Township Engineer and Township Planner:

_____		_____	
Robert C. Bogart, PE	Date	Scarlett Doyle, PP	Date
Township Engineer		Township Planner	

<u>Filing requirements for this form to the Zoning Office</u>

Please submit three (3) sets of the application form with any other supporting documents and two separate checks. ($25.00 application fee and $500.00 escrow check.) **Make checks payable to Township of Bridgewater and return to the Zoning Officer.**

Form **W-9**
(Rev. October 2004)
Department of the Treasury
Internal Revenue Service

Request for Taxpayer Identification Number and Certification

Give form to the requester. Do not send to the IRS.

Print or type
See Specific Instructions on page 2.

Name (as reported on your income tax return)

Business name, if different from above

Check appropriate box: ☐ Individual/ Sole proprietor ☐ Corporation ☐ Partnership ☐ Other ▶ ..... ☐ Exempt from backup withholding

Address (number, street, and apt. or suite no.)

Requester's name and address (optional)

City, state, and ZIP code

List account number(s) here (optional)

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Note. *If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.*

Social security number
| | | – | | – | | | | |

or

Employer identification number
| | – | | | | | | | |

Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. person (including a U.S. resident alien).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. (See the instructions on page 4.)

Sign Here **Signature of U.S. person ▶** **Date ▶**

Purpose of Form

A person who is required to file an information return with the IRS, must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

U.S. person. Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),

2. Certify that you are not subject to backup withholding, or

3. Claim exemption from backup withholding if you are a U.S. exempt payee.

Note. *If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.*

For federal tax purposes you are considered a person if you are:

- an individual who is a citizen or resident of the United States,
- a partnership, corporation, company, or association created or organized in the United States or under the laws of the United States, or
- any estate (other than a foreign estate) or trust. See Regulation section 301.7701-6(a) for additional information.

Foreign person. If you are a foreign person, use the appropriate Form W-8 (see Publication 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a "saving clause." Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the recipient has otherwise become a U.S. resident alien for tax purposes.

If you are a U.S. resident alien who is relying on an exception contained in the saving clause of a tax treaty to claim an exemption from U.S. tax on certain types of income, you must attach a statement that specifies the following five items:

1. The treaty country. Generally, this must be the same treaty under which you claimed exemption from tax as a nonresident alien.

2. The treaty article addressing the income.

3. The article number (or location) in the tax treaty that contains the saving clause and its exceptions.

Chapter 168, DONATION CLOTHING BINS

[HISTORY: Adopted by the Township Council of the Township of Bridgewater 12-7-2009 by Ord. No. 09-17. Amendments noted where applicable.]

GENERAL REFERENCES

Land use -- See Ch. 126.

§ 168-1. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

DONATION CLOTHING BIN -- Any container or receptacle held out to the public as a place for people to drop off articles of clothing and to store such clothing until carted away.

SOLICITATION or SOLICIT -- The request, directly or indirectly, for money, credit, property, financial assistance, or other thing of any kind or value.

§ 168-2. Purpose.

This chapter seeks to regulate donation clothing bins by requiring the charity or other person operating the bin to inform donors of a list of individuals or organizations that benefit from the donated items. The chapter will also require municipal registration of clothing bins and written consent from the property owner to place the bin on his or her property. The chapter shall further place location, zoning and possible site plan requirements and safety requirements upon the utilization of such bins.

§ 168-3. Permit required.

Notwithstanding any other provision of law to the contrary, no person shall place, use or employ a donation clothing bin within the Township of Bridgewater for solicitation purposes without obtaining a permit from the Township Zoning Officer which has been favorably recommended by the Township Planner and Township Engineer. Permits are renewable on an annual basis during the month of January.

§ 168-4. Permit fee.

The initial application fee shall be $100. The annual renewal permit fee shall be $25 per bin.

These fees are necessary to offset the cost of enforcing the provisions of this chapter.

§ 168-5. Application requirements.

The applicant shall obtain a permit from the Township Zoning Officer and the application shall include the following information:

A. The manner in which the person anticipates the proceeds of collected donations will be allocated or spent.

B. The name and telephone number of the bona fide office of any person or entity which may share or profit from any clothing or other donations collected via the bin at which such person can be reached during normal business hours. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office. The applicant shall provide a phone number for nonbusiness hours for emergency purposes; and

C. Written consent from the property owner to place the bin on his or her property and acknowledgement from the property owner that the property owner shall insure compliance with the provisions of this Chapter 168.

§ 168-6. Renewal application requirements.

In addition to the above application requirements, renewal applications must include:

A. A statement on the manner in which the person has used, sold, or dispersed any clothing or other donation collect via the bin, the method by which the proceeds of collected donations have been allocated or spent, and any changes the person anticipates he or she may make in this process during the period covered by the renewal;

B. The name and telephone number of the bona fide office of any entity which shared or profited from any clothing or other donations collected via the bin, and of any entities which may do so during the period covered by the renewal as well as a phone number for nonbusiness hours for emergency purposes; and

C. If the location of the bin is to be moved, the new location where the bin is to be situated, as precisely as possible and written consent from the property owner of the new location.

D. Annual renewal shall be made by June 1 of each year.

§ 168-7. Display of permit.

The following information shall be clearly and conspicuously displayed on the exterior of the donation clothing bin:

A. The permit number and its date of expiration;

B. The name and address of the registered person who owns the bin, and of any other entity which may share or profit from any clothing or other donations collected via the bin;

C. The telephone number of the owner's bona fide office, and, if applicable, the telephone number of the bona fide office of any other entity which may share or profit from any clothing or other donations collected via the bin. For the purposes of this subsection, an answering machine or service unrelated to the person does not constitute a bona fide office;

D. In cases when any entity other than the person who owns the bin may share or profit from any clothing or other donations collected via the bin, a notice, written in a clear and easily understandable manner, indicating the entity other than the person that owns the bin which may share or profit from such donations;

E. A statement, consistent with the information provided to the Township in the most recent permit or renewal application, indicating the manner in which the owner anticipates any clothing or other donations collected via the bin would be used, sold, or dispersed, and the method by which the proceeds of collected donations would be allocated or spent.

§ 168-8. Placement of bins.

A. Bridgewater Township shall not grant an application for a permit to place, use, or employ a donation clothing bin if it determines that the placement of the bin could constitute a safety hazard. Such hazards shall include, but not be limited to, the placement of a donation clothing bin within 100 yards of any place which stores large amounts of, or sells, fuel or other flammable liquids or gases; or the placement of a bin where it interferes with vehicular or pedestrian circulation. The placement of bins shall be consistent with the recommendations of the Township Planner and Township Engineer pursuant to § 166-3.

B. The person placing, using or employing a donation clothing bin shall maintain the bin and the area surrounding the bin such that there shall be no accumulation of clothing or other donations outside the bin.

C. The clothing bin shall be emptied no less than once a week and the area immediately surrounding shall be maintained in a clean and sanitary condition, and the clothing bin should

remain in good working order and painted.

§ 168-9. Regulation of use and location of bins.

The placement and/or use of a clothing bin shall be regulated, and the use and location of bins shall be subject to the following requirements:

A. Donation clothing bins shall only be located in nonresidential zoning districts. Exempt from this requirement shall be fire departments, first aid rescue squads, houses of worship and schools, many of which are located in residential zones, provided that no clothing bin located on any fire, first aid squad facility, house of worship or school property shall be closer than 250 feet from an adjacent residential dwelling.

B. The location of donation clothing bins on real property shall be consistent with any existing site plan approval for the premises. If it is not, the applicant shall be required to obtain a waiver of site plan approval pursuant to § 126-137 of the Township Land Use Ordinance. If a site plan waiver is not obtained then the applicant shall apply for a revised site plan to the appropriate Land Use Board.

C. No more than three receptacles shall be located within any complex. 6'X8'X6'H

D. Each clothing bin shall not exceed six feet in depth, eight feet in width and six feet in height.

E. The clothing bin shall be located in such a manner that it will not interfere with pedestrian and/or traffic circulation or otherwise cause a traffic hazard by virtue of any obstruction that it may create by its placement.

F. The receptacles shall be located in a clearly visible and well-lighted area to permit inspection and enforcement.

G. The clothing bin may be placed in parking stalls, provided that the approved use for the site in question has been operational for a minimum of one year prior to the request for the clothing bin and provided further that in the written opinion of the Zoning Officer there is sufficient on-site parking to accommodate all uses of the property in accordance with the applicable provisions of the Township Code and existing site plan approval.

H. No clothing bin shall be placed in a required buffer area or within three feet of a property line, or in a sight triangle or fire zone.

I. No clothing bin shall be placed in a parking space designated as handicapped parking.

J. No clothes shall be stored outside the clothing bin.

§ 168-10. Receipt, investigation of complaints.

A. Whenever it appears to the Zoning Officer that a person is in violation of § 166-8C, the person who placed the bin shall be advised to correct the condition within 24 hours. For other violations of this chapter, the Zoning Officer shall advise the person in violation to cure the said violation within 10 days of written notice of the violation. In addition to any other means used to notify the person who placed the bin, such warning shall be affixed to the exterior of the bin itself.

B. In the event that the person who places the bin has three violations of this chapter within a year, then the Township of Bridgewater may revoke the permit and require removal of the clothing bin. If the owner of the bin does not remove the bin after demand by the Township, then the Township may have the bin removed at the expense of the person who placed the bin and sell at public auction or otherwise dispose of any clothing or other donations collected via the bin. Any proceeds from the sale of the donations collected via the bin shall be paid to the Chief Financial Officer of the Township.

§ 168-11. Additional penalties; remedies.

In addition to any other penalties or remedies authorized by the laws of this state, any person who violates any provision of this chapter or the provisions of P.L. 2007, c. 209 (N.J.S.A. 40:48-2.60 et seq.) which results in seizure of the donation clothing bin shall be:

A. Subject to a penalty of up to $500 for the first violation and not to exceed $5,000 for each subsequent violation. The Township may bring this action in the Bridgewater Township Municipal Court or the Superior Court of New Jersey as a summary proceeding under the Penalty Enforcement Law of 1999, P.L. 1999, c. 274 (N.J.S.A. 2A:58-10 et seq.), and any penalty monies collected shall be paid to the Chief Financial Officer of the Township; and

B. Deemed ineligible to place, use, or employ a donation clothing bin for solicitation purposes pursuant to this chapter and P.L. 2007, c. 209 (N.J.S.A. 40:48-2.61). A person disqualified from placing, using, or employing a donation clothing bin by violating the provisions of P.L. 2007, c. 209 (N.J.S.A. 40:48-2.60 et seq.) may apply to the Township's Board of Adjustment to have that person's eligibility restored. The Township's Board of Adjustment may restore the eligibility of a person who:

   (1) Acts within the public interest; and

   (2) Demonstrates that he or she made a good faith effort to comply with the provisions of this chapter and P.L. 2007, c. 209 (N.J.S.A. 40:48-2.60 et seq.), and all other applicable

laws and regulations, or had no fraudulent intentions.